

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

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|--------------------------------|---|--------------------------------|
| ANDY DEAS, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. 4:24-cv-01541-ACA-SGC |
| |) | |
| DANIELS, C.O., <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |

MEMORANDUM OPINION

Plaintiff Andy Deas filed this complaint in November 2024. (Doc. 1). In December 2024, the magistrate judge granted Mr. Deas leave to proceed *in forma pauperis* and ordered him to sign and return a prisoner consent form authorizing the agency with custody of him to send partial payments toward the filing fee. (Doc. 6). When Mr. Deas did not return the consent form by the deadline, the magistrate judge entered a report, recommending that the court dismiss this action for failure to prosecute. (Doc. 7). In response to a filing from Mr. Deas, the magistrate judge re-sent the report and recommendation and extended the time by which Mr. Deas could object or submit the consent form. (Doc. 9). After Mr. Deas requested another copy of the consent form (doc. 10), the magistrate judge ordered the Clerk to send another copy of the form and informed Mr. Deas that the report and recommendation

remained pending and that failure to return the signed consent form within fourteen calendar days could result in the dismissal of his case (doc. 11).

More than fourteen days have passed since the magistrate judge's most recent order, and Mr. Deas has neither returned a signed consent form nor filed objections to the report and recommendation. Accordingly, the court **ADOPTS** the report and **ACCEPTS** the recommendation. The court **WILL DISMISS** this action **WITHOUT PREJUDICE** for failure to prosecute. *See* Fed. R. Civ. P. 41(b).

The court will enter a separate final order.

DONE and **ORDERED** this June 5, 2025.



ANNEMARIE CARNEY AXON
UNITED STATES DISTRICT JUDGE